Oregon

DEPARTMENT OF
TRANSPORTATION

Region 5
Right of Way Section

FILE CODE:

Date: March 14, 1997

Local Public Agency

RE: Right-of-Way Certification for Transportation Projects.

Please find enclosed the approved form to be used for right-of-way certification. This form is required to provide notice that right-of-way was either not required for the project, or right-of-way was acquired in a process that meets FHWA and State directives.

The certification should be in the region right-of-way office for processing between 3 and 6 weeks prior to project contract letting. This will insure FHWA is notified that right-of-way has been properly acquired and clear for construction.

This form can be available on computer disc to be installed on your word processor. Please contact Julie Hamner at the phone number noted on this letter if we can be of service.

Please contact me if you have any concerns.

Respectfully,

George L. Bertels
Region 5 R/W Supervisor (Interim)

3012 Island Avenue
La Grande, OR 97850
(503) 963-7552
FAX (503) 963-9079

Oregon Department of Transportation
RIGHT-OF-WAY CERTIFICATION

:\usr\certify\cert-6.doc (03-01-97)

1. PROJECT INFORMATION:

Section

Highway

County

Bid Opening _____

FAP No. _____

2. PRIMARY DECLARATION: (Delete statements that do not apply).

I certify that to the best of my knowledge the following statements are correct with regard to the right-of-way for this project (23 CFR 635.309):

No additional right-of-way was acquired. Construction can be accomplished within the existing right-of-way.

OR,

I certify that to the best of my knowledge the following statements are correct with regard to the right-of-way for this project (23 CFR 635.309):

Right-of-way was acquired in accordance with current FHWA directives covering the acquisition of real property. The State or Local Public Agency has legal and physical possession of all right-of-way.

There are no individuals or families or other occupants to be displaced by the above cited project. Therefore, the provisions of current FHWA directives, including 49 CFR Part 24, covering the administration of the Relocation Assistance Program are not applicable to this project.

OR,

I certify that to the best of my knowledge the following statements are correct with regard to the right-of-way for this project (23 CFR 635.309):

Right-of-way was acquired in accordance with current FHWA directives covering the acquisition of real property. The State or Local Public Agency has legal and physical possession of all right-of-way. All Occupants have vacated the lands and improvements acquired for the project.

Relocation advisory assistance and payments have been provided as required by the current FHWA directives covering the administration of the Relocation Assistance Program.

All individuals and families have been relocated to decent, safe and sanitary housing, and all business displacees have been assisted, in accordance with the foregoing noted relocation provisions.

3. STATUS OF RIGHT OF WAY AS OF TODAY'S DATE: (Insert status, if needed).

If properties are not clear as of date of this certification, what steps are being taken to resolve them.

4. EXCEPTIONS TO CERTIFICATION: (Insert explanation if needed).

Which properties will still not be cleared by contract award date; what will be their possession date. Explain why property will not be available on award date and what will be done to clear them. If there are residential occupants still on a project on award date, you need to clearly state that comparable replacement housing has been made available to those occupants.

5. PUBLIC INTEREST STATEMENT: (Insert statement if exception extends beyond contract award).

If there are exceptions, explain why it is in the public interest to proceed with this project at this time.

6. HAZARDOUS MATERIALS: (Delete statements or insert explanation as appropriate).

No known hazardous materials exist.

OR,

Required remedial actions pertaining to known hazardous materials have been taken and will not interfere with construction.

OR,

Explain the situation if it is different than above.

7. SIGNATURE OF CERTIFYING AGENCY: (Both signatures required on L.P.A. projects).

_____

_____

Region R/W Supervisor Local Government Agency

8. STATISTICAL DATA FOR FEDERALLY FUNDED LPA PROJECTS:

	voluntarily	by court deposit
Number of R/W Properties Acquired; with Federal Funds	_____	_____
Amount Paid for Properties Purchased; with Federal Funds	_____	_____
Number of R/W Properties Acquired; no Federal Funds	_____	_____
Amount Paid for Properties Purchased; no Federal Funds	_____	

_____

Number of Properties Involving Relocations _____

9. DISTRIBUTION:

Original: R/W Project Administration

Copy: Specifications Unit (for certifications with any exceptions)